

**PB# 04-35**

**Benedict Pond  
(LLC)**

**65-1-93 & 67-3-5 & 6**

TOWN OF NEW WINDSOR  
PLANNING BOARD  
**APPROVED COPY**  
DATE: April 26, 2007

**104-35** BENEDICT POND, SATTERLY,  
B # AC CASTER LL CHG - RILEY RD (DI NARDO)

~~95-30~~ 86-82

93-a

02-30

Map Number 904-07

City  
Town  
Village

Section 95 Block 1 Lot 16  
67 3 5, 46

X new Windsor 04-35

Title: Benedict pond, LLC

Dated: 1/3/07 Filed 11/29/07

Approved by GERARDO ARGENTO

on 11-14-07

Record Owner KG CORNWELL, LLC

<sup>MC</sup>CASTER, RUFUS  
STATTERLY, CHARLES

DONNA L. BENSON  
Orange County Clerk

TOTAL: \$10.00

RECORDED/FILED ORANGE COUNTY  
BOOK 02007 PAGE 0904  
11/29/2007/ 13:22:06  
FILE NUMBER 20070128306  
RECEIPT#817747\_hals



PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 05/08/2007

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]  
A [Disap, Appr]

FOR PROJECT NUMBER: 4-35

NAME: BENEDICT POND LOT LINE CHANGE PA2004-1509

APPLICANT: ALSO OWNERS: SATTERLY - MC CASTER

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
04/26/2007	PLANS STAMPED	APPROVED
04/27/2005	P.B. APPEARANCE . PHIL CROTTY TO APPROVE EASEMENTS - CORRECT LINES ON PLANS	LA:ND WVE PH APP CON
12/08/2004	P.B. APPEARANCE	RETURN
11/30/2004	WORK SHOP APPEARANCE	SUBMIT

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 05/08/2007

PAGE: 1

LISTING OF PLANNING BOARD SEQRA ACTIONS

FOR PROJECT NUMBER: 4-35

NAME: BENEDICT POND LOT LINE CHANGE PA2004-1509

APPLICANT: ALSO OWNERS: SATTERLY - MC CASTER

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	12/06/2004	EEF SUBMITTED	12/06/2004	WITH APPLIC
ORIG	12/06/2004	CIRCULATE TO INVOLVED AGENCIES	/ /	
ORIG	12/06/2004	LEAD AGENCY DECLARED	04/27/2005	TOOK LA
ORIG	12/06/2004	DECLARATION (POS/NEG)	04/27/2005	DECL NEG DEC
ORIG	12/06/2004	SCHEDULE PUBLIC HEARING	/ /	
ORIG	12/06/2004	PUBLIC HEARING HELD	/ /	
ORIG	12/06/2004	WAIVE PUBLIC HEARING	04/27/2005	WAIVE PH
ORIG	12/06/2004	PRELIMINARY APPROVAL	/ /	
ORIG	12/06/2004		/ /	
ORIG	12/06/2004	LEAD AGENCY LETTER SENT	/ /	

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 04/03/2007

PAGE: 1

LISTING OF PLANNING BOARD **FEES**  
**ESCROW**

FOR PROJECT NUMBER: 4-35

NAME: BENEDICT POND LOT LINE CHANGE PA2004-1509

APPLICANT: ALSO OWNERS: SATTERLY - MC CASTER

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
12/06/2004	REC. CK. #52168	PAID		150.00	
12/08/2004	P.B. ATTY. FEE	CHG	35.00		
12/08/2004	P.B. MINUTES	CHG	5.50		
04/27/2005	P.B. ATTY. FEE	CHG	35.00		
04/27/2005	P.B. MINUTES	CHG	16.50		
01/08/2007	P.B. ENGINEER FEE	CHG	341.40		
04/03/2007	REC. CK. #2704	PAID		283.40	
			-----	-----	-----
		TOTAL:	433.40	433.40	0.00

*To close out escrow.*

*(m)*

*BL*  
*4/3/07*

**Town of New Windsor**  
555 Union Avenue  
New Windsor, NY 12553  
(845) 563-4611

**RECEIPT**  
**#229-2007**

04/03/2007

Gold Construction  
1 Shinev Court  
Monroe, NY 10950

Received \$ 150.00 for Planning Board Fees, on 04/03/2007. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

**Deborah Green**  
Town Clerk

PB# 04-35  
approval fee

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 04/03/2007

PAGE: 1

LISTING OF PLANNING BOARD **FEES**  
**APPROVAL**

FOR PROJECT NUMBER: 4-35

NAME: BENEDICT POND LOT LINE CHANGE PA2004-1509

APPLICANT: ALSO OWNERS: SATTERLY - MC CASTER

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
01/08/2007	LL CHG APPROVAL FEE	CHG	150.00		
04/03/2007	REC. CK. #2702	PAID		150.00	
			-----	-----	-----
		TOTAL:	150.00	150.00	0.00





# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4689

## OFFICE OF THE PLANNING BOARD

January 10, 2007

Jacobowitz & Gubits  
P.O. Box 367  
Walden, NY 12586-0367

ATTN: ROBERT DI NARDO, ESQ.

SUBJECT: P.B. #04-35 BENEDICT, MCCASTER, SATTERLY LL CHG.

Dear Mr. DiNardo:

Please find attached printouts of fees due for subject project.

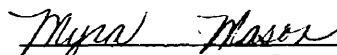
Please contact your client, the applicant, and ask that payment be submitted in separate checks, payable to the Town of New Windsor, as follows:

Check #1 – Approval Fee.....	\$	150.00
Check #2 – Amount over escrow posted.....	\$	283.40

Upon receipt of these checks and ten (10) sets of plans (5 sets folded) with one mylar, I will have the plans stamped and signed approved.

If you have any questions in this regard, please contact my office.

Very truly yours,

  
Myra L. Mason, Secretary To The  
NEW WINDSOR PLANNING BOARD

MLM

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 01/10/2007

PAGE: 1

LISTING OF PLANNING BOARD **FEE**  
**ESCROW**

FOR PROJECT NUMBER: 4-35

NAME: BENEDICT POND LOT LINE CHANGE PA2004-1509

APPLICANT: ALSO OWNERS: SATTERLY - MC CASTER

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
12/06/2004	REC. CK. #52168	PAID		150.00	
12/08/2004	P.B. ATTY. FEE	CHG	35.00		
12/08/2004	P.B. MINUTES	CHG	5.50		
04/27/2005	P.B. ATTY. FEE	CHG	35.00		
04/27/2005	P.B. MINUTES	CHG	16.50		
01/08/2007	P.B. ENGINEER FEE	CHG	341.40		
		TOTAL:	433.40	150.00	283.40

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 01/10/2007

PAGE: 1

LISTING OF PLANNING BOARD **FEEs**  
**APPROVAL**

FOR PROJECT NUMBER: 4-35

NAME: BENEDICT POND LOT LINE CHANGE PA2004-1509

APPLICANT: ALSO OWNERS: SATTERLY - MC CASTER

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
01/08/2007	LL CHG APPROVAL FEE	CHG	150.00		
			-----	-----	-----
		TOTAL:	150.00	0.00	150.00

# TOWN OF NEW WINDSOR

## LOT LINE CHANGE FEE SCHEDULE

APPLICATION FEE: \$ 75.00  
ESCROW (\$150.00 - \$400.00) \$           

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### APPROVAL FEES:

PRE-PRELIMINARY PLAT APPROVAL \$ 50.00  
PRELIMINARY PLAT APPROVAL \$ 50.00  
FINAL APPROVAL \$ 50.00  
  
TOTAL APPROVAL FEES: \$ 150.00

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### CHARGES TO BE DEDUCTED FROM ESCROW:

ESCROW POSTED: \$                       
  
PLANNING BOARD ENGINEER FEE \$                       
PLANNING BOARD ATTORNEY FEE \$                       
MINUTES OF MEETINGS \$                       
OTHER \$                       
  
TOTAL DEDUCTED: \$                     

AMOUNT TO BE RETURNED TO APPLICANT: \$                     

AMOUNT DUE TOWN OF NEW WINDSOR: \$

AS OF: 01/06/2007

## CHRONOLOGICAL JOB STATUS REPORT

PAGE: 1

JOB: 87-56

NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSO

TASK: 4- 35

FOR ALL WORK ON FILE:

TASK-NO	REC	--DATE--	TRAN	EMPL	ACT DESCRIPTION	RATE	HRS.	DOLLARS			
								TIME	EXP.	BILLED	BALANCE
4-35	245728	11/30/04	TIME	MJE	WS BENEDICT LOT LINE RE	99.00	0.30	29.70			
4-35	247014	12/07/04	TIME	MJE	MC BENEDICT L/L W/MM	99.00	0.80	79.20			
4-35	247394	12/22/04	TIME	MJE	MC BENEDICT L/L KVV/EMC	99.00	0.70	69.30			
								178.20			
4-35	249451	12/31/04			BILL 05-221 1/27/05						-178.20
											-178.20
4-35	249764	01/05/05	TIME	MJE	WS BENEDICT FOND L/L	99.00	0.20	19.80			
4-35	252342	02/15/05	TIME	MJE	MC BENEDICT SUB	99.00	0.30	29.70			
4-35	252361	02/16/05	TIME	MJE	PM BENEDICT W/PAC	99.00	0.30	29.70			
4-35	258872	04/27/05	TIME	MJE	MR BENEDICT L/L	99.00	0.50	49.50			
								128.70			
4-35	261562	05/25/05			BILL 05-746						-128.70
											-128.70
4-35	318991	08/09/06	TIME	MJE	MM LL REAPPROVED	0.00	0.10	0.00			
4-35	335528	11/07/06	TIME	MJE	CR MM:McCASTER	115.00	0.30	34.50			
								34.50			
4-35	337839	11/21/06			BILL 06-2933						-34.50
											-34.50
					TASK TOTAL			341.40			-341.40
									0.00		0.00
					GRAND TOTAL			341.40			-341.40
									0.00		0.00



**McGOEY, HAUSER and EDSALL**  
**CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E. (NY & PA)

WILLIAM J. HAUSER, P.E. (NY & NJ)

MARK J. EDSALL, P.E. (NY, NJ & PA)

JAMES M. FARR, P.E. (NY & PA)

**MAIN OFFICE**

**33 AIRPORT CENTER DRIVE**

**SUITE 202**

**NEW WINDSOR, NEW YORK 12553**

**(845) 567-3100**

**FAX: (845) 567-3232**

**E-MAIL: MHENY@MHEPC.COM**

**WRITER'S E-MAIL ADDRESS:**

**MJE@MHEPC.COM**

**TOWN OF NEW WINDSOR**  
**PLANNING BOARD**  
**REVIEW COMMENTS**

**PROJECT NAME:** BENEDICT POND, LLC – SATTERLY – McCASTER LOT LINE CHANGE  
(APPLICATION RELATED TO SITE PLAN APP. NO. 02-30)

**PROJECT LOCATION:** OFF RILEY ROAD  
SECTION 65 – BLOCK 1 – LOT 93 WITH  
SECTION 67 – BLOCK 3 – LOTS 5 & 6

**PROJECT NUMBER:** 04-35

**DATE:** 27 APRIL 2005

**DESCRIPTION:** THE APPLICATION PROPOSES ADJUSTMENTS BETWEEN THE  
PROPERTY OF THE BENEDICT POND MULTIFAMILY SITE PLAN  
AND TWO ADJOINING LOTS OWNED BY SATTERLY AND  
McCASTER. THE APPLICATION WAS PREVIOUSLY REVIEWED AT  
THE 8 DECEMBER 2004 MEETING.

1. The application conveys a triangular parcel approximately 2280 s.f. from Benedict Pond to McCaster, and a flag shaped parcel approximately 3632 s.f. from Benedict to Satterly. The plan appears to indicate that setbacks are being increased, and no new or increased non-conformities will result from the application. Therefore, I am aware of no zoning issues for this application.

I previously pointed out the existing encroachment of the Satterly building onto the lands of McCaster and suggested that it would be an appropriate time for the applicants to try to resolve this problem. Was any attempt made?

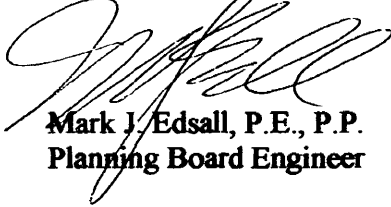
2. The Planning Board may wish to assume the position of Lead Agency under the SEQRA review process.
3. The Planning Board should determine if a Public Hearing will be necessary for this minor subdivision (in form of lot line change), or if same can be waived per Section 257-13 (A) of the Subdivision Regulations.

**REGIONAL OFFICES**

• 507 BROAD STREET • MILFORD, PENNSYLVANIA 18337 • 570-296-2765 •  
• 540 BROADWAY • MONTICELLO, NEW YORK 12701 • 845-794-3399 •

4. The Planning Board may wish to make a determination regarding the type action this project should be classified under SEQRA, and make a determination regarding environmental significance.
5. As previously noted, the easements shown on the plan are intended as future easements to the benefit of the Town of New Windsor. As any approval of this lot line change should be subject to review and approval of the easements by the Attorney for the Town.

Respectfully Submitted,



Mark J. Edsall, P.E., P.P.  
Planning Board Engineer

MJE/st  
NW04-35-27Apr05.doc

April 27, 2005

PROJECT: Benedict Pond ~~Snake~~ Frog

**P.B. #**

04-35

~~07-30~~

L.L. Chy

**LEAD AGENCY:**

AUTHORIZE COORD. LETTER: Y      N     

TAKE LEAD AGENCY: Y ☒ N ☐

**NEGATIVE DEC:**

M) H S) Sh VOTE: A 5 N 0

CARRIED: Y ☒ N

M) A S) 5 VOTE: A 5 N 0

CARRIED: Y ☒ N ☐

**PUBLIC HEARING:**

WAIVED: ✓

**CLOSED:**\_\_\_\_\_

M) A S) Sh VOTE: A 5 N 0

SCHEDULE P.H.: Y        N ✓

SEND TO O.C. PLANNING: Y

SEND TO DEPT. OF TRANSPORTATION: Y

REFER TO Z.B.A.: M)        S)        VOTE: A        N       

RETURN TO WORK SHOP: Y N

**APPROVAL:**

M) AS) 5 VOTE: A 5 N 0

APPROVED: 4-27-05

NEED NEW PLANS: Y ✓ N   

**CONDITIONS – NOTES:**

Phil Crotty must approve easements

Correct lines on plan





**Edward A. Diana**  
*County Executive*

## REAL PROPERTY TAX SERVICE AGENCY

*John I. McCarey - Director*  
124 Main Street  
Goshen, New York 10924  
(845) 291-2498

January 5, 2007

Genaro Argenio, Chairperson  
Town of New Windsor Planning Board  
555 Union Ave  
New Windsor NY 12553

Dear Chairperson:

As per the Town's request to be notified of property being split by deed, we are attaching a map and deed reflecting this split. Deeds book 12325 pages 1550 and 1546 split 95-1-16 into three parcels and subsequently transferring a portion to 67-3-5 and another portion to 67-3-6. The enclosed map shows the portions that are being transferred.

If this is acceptable to you we will process this deed. We are currently holding the deed to see if a subdivision map reflecting these changes should be filed with the Town of New Windsor Planning Board.

If you have any questions or concerns, please contact me at 845-291-2496.

Sincerely,

Lisa Raneri  
Tax Map Technician

Copy: KG Cornwall LLC  
Charles S Satterly  
Rufus McCaster  
J Todd Wiley, Assessor  
Michael Babcock, Building Inspector  
Michael Blythe, Town Attorney

John McCarey  
Director, Real Property

1/16/07  
Called - informed them a LL City Map is  
coming shortly.

# NOTICE OF TAX MAP REVISION

**MAKE CHANGES AS SHOWN IN RED**

# ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE

THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE

TYPE IN BLACK INK:  
NAME(S) OF PARTY(S) TO DOCUMENT

KG Cornwall LLC

TO

Charles S. Slatteerly

SECTION 96 BLOCK 1 LOT K6

RECORD AND RETURN TO:  
(name and address)

Hardenburg Abstracts  
12 Seaboard Ave  
Goshen, N.Y. 10924



THIS IS PAGE ONE OF THE RECORDING

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH  
RECORDED INSTRUMENT ONLY

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED ☒ MORTGAGE ☐ SATISFACTION ☐ ASSIGNMENT ☐ OTHER ☐

## PROPERTY LOCATION

2089 BLOOMING GROVE (TN)  
2001 WASHINGTONVILLE (VLG)  
2289 CHESTER (TN)  
2201 CHESTER (VLG)  
2489 CORNWALL (TN)  
2401 CORNWALL (VLG)  
2600 CRAWFORD (TN)  
2800 DEERPARK (TN)  
3089 GOSHEN (TN)  
3001 GOSHEN (VLG)  
3003 FLORIDA (VLG)  
3005 CHESTER (VLG)  
3200 GREENVILLE (TN)  
3489 HAMPTONBURGH (TN)  
3401 MAYBROOK (VLG)  
3689 HIGHLANDS (TN)  
3601 HIGHLAND FALLS (VLG)  
3889 MINESINK (TN)  
3801 UNIONVILLE (VLG)  
4089 MONROE (TN)  
4001 MONROE (VLG)  
4003 HARRISMAN (VLG)  
4005 KIRYAS JOEL (VLG)

4289 MONTGOMERY (TN)  
4201 MAYBROOK (VLG)  
4203 MONTGOMERY (VLG)  
4205 WALDEN (VLG)  
4489 MOUNT HOPE (TN)  
4401 OTISVILLE (VLG)  
4600 NEWBURGH (TN)  
X 4800 NEW WINDSOR (TN)  
5089 TUXEDO (TN)  
5001 TUXEDO PARK (VLG)  
5200 WALLKILL (TN)  
5489 WARWICK (TN)  
5401 FLORIDA (VLG)  
5403 GREENWOOD LAKE (VLG)  
5405 WARWICK (VLG)  
5600 WAWAYANDA (TN)  
5889 WOODBURY (TN)  
5801 HARRISMAN (VLG)

## CITIES

0900 MIDDLETOWN  
1100 NEWBURGH  
1300 PORT JERVIS  
9999 HOLD

NO PAGES 4 CROSS REF.  
CERT. COPY ADD'L X-REF.  
MAP# PGS.

PAYMENT TYPE: CHECK ☒  
CASH ☐  
CHARGE ☐  
NO FEE ☐

Taxable  
CONSIDERATION \$  
TAX EXEMPT

Taxable  
MORTGAGE AMT. \$

## MORTGAGE TAX TYPE:

(A) COMMERCIAL/FULL  
(B) 1 OR 2 FAMILY  
(C) UNDER \$10,000  
(E) EXEMPT  
(F) 3 TO 8 UNITS  
(I) NAT. PERSONOR. UNION  
(J) NAT. PER-CRUM/1 OR 2  
(K) CONDO

*Donna L. Benson*

DONNA L. BENSON  
ORANGE COUNTY CLERK

RECEIVED FROM:

*Hardenburg*

RECORDED/FILED  
12/19/2006/ 13:42:18  
DONNA L. BENSON  
County Clerk  
ORANGE COUNTY, NY

FILE # 20060134777  
DEED C / BK 12325 Pg 1546  
RECORDING FEES 207.00  
TTX# 004196 T TAX 0.00  
Receipt#570548 pete



**CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT  
THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY**

**THIS INDENTURE**, made the 21<sup>st</sup> day of August, two thousand and six

**BETWEEN** KG CORNWALL, LLC, a New York Limited Liability Company, c/o  
Dorfman, Knoebel & Conway, LLP, with offices at 51 North Broadway,  
Nyack, New York 10960, party of the second part,

party of the first part, and

CHARLES S. SATTERLY, residing at  
11 Riley Road  
New Windsor, New York 12553

party of the second part,

**WITNESSETH**, that the party of the first part, in consideration of Ten and No/100 (\$10.00)  
Dollars lawful money of the United States, and other good and valuable consideration paid by  
the party of the second part, does hereby grant and release unto the party of the second part, the  
heirs or successors and assigns of the party of the second part forever,

**ALL** that certain plot, piece or parcel of land, with the buildings and improvements thereon  
erected, situate, lying and being in the Town of New Windsor, County of Orange and State of  
New York, more particularly described as follows:

**SEE SCHEDULE "A" ATTACHED HERETO AND MADE A PART  
HEREOF.**

**TOGETHER** with all right, title and interest, if any, of the party of the first part in and to any  
streets and roads abutting the above described premises to the center lines thereof;

**TOGETHER** with the appurtenances and all the estate and rights of the party of the first part  
in and to said premises;

**TO HAVE AND TO HOLD** the premises herein granted unto the party of the second part the  
heirs or successors and assigns of the party of the second part forever.

**AND** the party of the first part covenants that the party of the first part has not done or suffered anything whereby and said premises have been encumbered in any way whatever, except as aforesaid.

**AND** the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

**IN WITNESS WHEREOF**, the party of the first part has duly executed this deed the day and year first above written.

**IN PRESENCE OF:**

KG CORNWALL, LLC

By Jon Kuy  
Asst VP.

State of New York     )  
                                      )     ss.:  
County of                 )

On Aug. 21, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared Jon Kuy, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

Marina Valverde  
Notary Public, State of New York

MARINA VALVERDE  
Notary Public, State of New York  
County of Orange  
No. 014806418  
Commission Expires August 4, 2009

Conveyance from Tax Lot 65-1-93  
to Tax Lot 67-3-6

Schedule "A"

All that certain plot, piece or parcel of land situate, lying and being in the Town of New Windsor, County of Orange and State of New York. Being more fully bounded and described as follows:

BEGINNING at a point located at the southwest corner of lands now or formerly of Charles Satterly (Tax Lot 67-3-6), said point also lying on the division line between the Town of New Windsor to the north and the Town of Cornwall to the south; running thence

- 1) N82-21-00W, 12.52 feet along said division line between the Town of New Windsor to the north and the Town of Cornwall to the south; running thence along the easterly and northerly line of lands now or formerly of Satterly (tax Lot 5-1-3) the following three (3) courses and distances:
- 2) N08-50-45W, 183.08 feet;
- 3) S86-54-45W, 68.50 feet;
- 4) N74-40-10W, 108.00 feet; thence
- 5) S82-40-44E, 186.04 feet thru lands now or formerly of Benedict Pond, LLC (Tax Lot 65-1-93); thence
- 6) S08-50-45E, 185.94 feet along the westerly line of lands now or formerly of Charles Satterly (Tax Lot 67-3-6) to the point or place of BEGINNING.

Consisting of 3,632 square feet of land.

# ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE

THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE

TYPE IN BLACK INK:

NAME(S) OF PARTY(S) TO DOCUMENT

KG Cornwall LLC

TO

Rufas McCarter

SECTION 95 BLOCK 1 LOT 16

RECORD AND RETURN TO:  
(name and address)

Hardenburgh Abstract Co.  
12 Scotland Town Ave  
Goshen N.Y. 10924



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3089 GOSHEN (TN)  
3001 GOSHEN (VLG)  
3003 FLORIDA (VLG)  
3005 CHESTER (VLG)  
3200 GREENVILLE (TN)  
3489 HAMPTONBURGH (TN)  
3401 MAYBROOK (VLG)  
3689 HIGHLANDS (TN)  
3601 HIGHLAND FALLS (VLG)  
3889 MINISINK (TN)  
3801 UNIONVILLE (VLG)  
4089 MONROE (TN)  
4001 MONROE (VLG)  
4003 HARRIMAN (VLG)  
4005 KIRYAS JOEL (VLG)

4289 MONTGOMERY (TN)  
4201 MAYBROOK (VLG)  
4203 MONTGOMERY (VLG)  
4205 WALDEN (VLG)  
4489 MOUNT HOPE (TN)  
4401 OTISVILLE (VLG)  
4600 NEWBURGH (TN)  
X 4800 NEW WINDSOR (TN)  
5089 TUXEDO (TN)  
5001 TUXEDO PARK (VLG)  
5200 WALLKILL (TN)  
5489 WARWICK (TN)  
5401 FLORIDA (VLG)  
5403 GREENWOOD LAKE (VLG)  
5405 WARWICK (VLG)  
5600 WAWAYANDA (TN)  
5889 WOODBURY (TN)  
5801 HARRIMAN (VLG)

## CITIES

0900 MIDDLETOWN  
1100 NEWBURGH  
1300 PORT JERVIS  
9999 HOLD

NO PAGES 4 CROSS REF.  
CERT. COPY ADD'L X-REF.  
MAPS PGS.  
PAYMENT TYPE: CHECK ☒  
CASH ☐  
CHARGE ☐  
NO FEE ☐

Taxable  
CONSIDERATION \$  
TAX EXEMPT  
Taxable  
MORTGAGE AMT. \$

## MORTGAGE TAX TYPE:

(A) COMMERCIAL/FULL  
(B) 1 OR 2 FAMILY  
(C) UNDER \$10,000  
(E) EXEMPT  
(F) 3 TO 6 UNITS  
(I) NAT. PERSON/CR. UNION  
(J) NAT. PER-CR. UN1 OR 2  
(K) CONDO

Donna L. Benson

DONNA L. BENSON  
ORANGE COUNTY CLERK

RECEIVED FROM:

Hardenburgh

RECORDED/FILED  
12/19/2006/ 13:42:18  
DONNA L. BENSON  
County Clerk  
ORANGE COUNTY, NY

FILE # 20060134778  
DEED C / BK 12325 Pg 1550  
RECORDING FEES 207.00  
TTX# 004197 T TAX 0.00  
Receipt#670548 pete



Bargain and Sale Deed  
With Covenants Against Grantors Acts

**CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT  
THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY**

**THIS INDENTURE**, made the 21<sup>st</sup> day of AUGUST, two thousand and six

**BETWEEN** KG CORNWALL, LLC, a New York Limited Liability Company, c/o  
Dorfman, Knoebel & Conway, LLP, with offices at 51 North Broadway,  
Nyack, New York 10960, party of the second part,

party of the first part, and

RUFUS MCCASTER, residing at  
15 Riley Road  
New Windsor, New York 12553

party of the second part,

**WITNESSETH**, that the party of the first part, in consideration of Ten and No/100 (\$10.00)  
Dollars lawful money of the United States, and other good and valuable consideration paid by  
the party of the second part, does hereby grant and release unto the party of the second part, the  
heirs or successors and assigns of the party of the second part forever,

**ALL** that certain plot, piece or parcel of land, with the buildings and improvements thereon  
erected, situate, lying and being in the Town of New Windsor, County of Orange and State of  
New York, more particularly described as follows:

**SEE SCHEDULE "A" ATTACHED HERETO AND MADE A PART  
HEREOF.**

**TOGETHER** with all right, title and interest, if any, of the party of the first part in and to any  
streets and roads abutting the above described premises to the center lines thereof;

**TOGETHER** with the appurtenances and all the estate and rights of the party of the first part  
in and to said premises;

**TO HAVE AND TO HOLD** the premises herein granted unto the party of the second part the  
heirs or successors and assigns of the party of the second part forever.



Conveyance from Tax Lot 65-1-93  
to Tax Lot 67-3-5

Schedule "A"

All that certain plot, piece or parcel of land situate, lying and being in the Town of New Windsor, County of Orange and State of New York. Being more fully bounded and described as follows:

BEGINNING at a point located at the northwest corner of lands now or formerly Charles Satterly (Tax Lot 67-3-6) and the southwest corner of lands now or formerly of Rufus McCaster (Tax Lot 67-3-5), said point also lying on the easterly line of lands now or formerly of Benedict Pond, LLC (Tax Lot 65-1-93); running thence thru lands now or formerly of Benedict Pond, LLC (tax Lot 65-1-93) the following two (2) courses and distances:

- 1) N56-04-43W, 99.70 feet;
- 2) N54-19-09E, 48.80 feet; thence
- 3) S27-07-55E, 94.50 feet along the northwesterly line of lands now or formerly of Rufus McCaster (Tax Lot 67-3-5) to the point or place of BEGINNING.

Consisting of 2,280 square feet of land.

Schedule "A"

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby and said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

KG CORNWALL, LLC

By: Jon Karger  
V.P.

State of New York     )  
                                  )     ss.:  
County of                )

On Aug. 21, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared Jon Karger, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

Marina Valverde  
Notary Public, State of New York

MARINA VALVERDE  
Notary Public, State of New York  
County of Orange  
No. 015,000,348  
Commission Expires August 4, 2009

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 04/27/2005

PAGE: 1

LISTING OF PLANNING BOARD **AGENCY APPROVALS**

FOR PROJECT NUMBER: 4-35

NAME: BENEDICT POND LOT LINE CHANGE PA2004-1509  
APPLICANT: ALSO OWNERS: SATTERLY - MC CASTER

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
ORIG	12/06/2004	MUNICIPAL HIGHWAY	/ /	
ORIG	12/06/2004	MUNICIPAL WATER	/ /	
ORIG	12/06/2004	MUNICIPAL SEWER	/ /	
ORIG	12/06/2004	MUNICIPAL FIRE	12/08/04	APPROVED
ORIG	12/06/2004	NYS DOT	/ /	

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 04/27/2005

PAGE: 1

LISTING OF PLANNING BOARD SEQRA ACTIONS

FOR PROJECT NUMBER: 4-35

NAME: BENEDICT POND LOT LINE CHANGE PA2004-1509

APPLICANT: ALSO OWNERS: SATTERLY - MC CASTER

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	12/06/2004	EAF SUBMITTED	12/06/2004	WITH APPLIC
ORIG	12/06/2004	CIRCULATE TO INVOLVED AGENCIES	/ /	
ORIG	12/06/2004	LEAD AGENCY DECLARED	/ /	
ORIG	12/06/2004	DECLARATION (POS/NEG)	/ /	
ORIG	12/06/2004	SCHEDULE PUBLIC HEARING	/ /	
ORIG	12/06/2004	PUBLIC HEARING HELD	/ /	
ORIG	12/06/2004	WAIVE PUBLIC HEARING	/ /	
ORIG	12/06/2004	PRELIMINARY APPROVAL	/ /	
ORIG	12/06/2004		/ /	
ORIG	12/06/2004	LEAD AGENCY LETTER SENT	/ /	

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 04/27/2005

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]  
O [Disap, Appr]

FOR PROJECT NUMBER: 4-35

NAME: BENEDICT POND LOT LINE CHANGE PA2004-1509

APPLICANT: ALSO OWNERS: SATTERLY - MC CASTER

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
12/08/2004	P.B. APPEARANCE	RETURN
11/30/2004	WORK SHOP APPEARANCE	SUBMIT

REGULAR ITEMS:

BENEDICT POND, SATTERLY & MC CASTER L.L. CHANGE (04-35)

Robert DiNardo, Esq. and Mr. Tony Danza appeared before the board for this proposal.

MR. PETRO: Mark, if we're to go forward with this, this has nothing to do with the site plan or--

MR. EDSALL: Well, they are tied together and I have talked to the applicant and they know they've got some work to do on the plans, they're intent to make sure that the board's comfortable with where they're headed toward coming back in January and getting everything finalized.

MR. PETRO: Let's skip number 2 and I want to go to number 3, I don't want to waste time on that because we're not going to take action, we can go over it briefly when we do have the site plan. For all the members, Mark's gone over this, it's just too many comments to be addressed by him and the board so we're not taking any action tonight, this is going to be for information purposes only. The applicant's already talked to Mark, we're going to do what we need to do and that's the reason I skipped over the lot line change. If we're not taking action, I don't need to see it.



**McGOEY, HAUSER and EDSALL**  
**CONSULTING ENGINEERS P.C.**

**RICHARD D. McGOEY, P.E. (NY & PA)**

**WILLIAM J. HAUSER, P.E. (NY & NJ)**

**MARK J. EDSALL, P.E. (NY, NJ & PA)**

**JAMES M. FARR, P.E. (NY & PA)**

**MAIN OFFICE**

**33 AIRPORT CENTER DRIVE**

**SUITE 202**

**NEW WINDSOR, NEW YORK 12553**

**(845) 567-3100**

**FAX: (845) 567-3232**

**E-MAIL: MHENY@MHEPC.COM**

***WRITER'S E-MAIL ADDRESS:***

***MJE@MHEPC.COM***

**TOWN OF NEW WINDSOR**  
**PLANNING BOARD**  
**REVIEW COMMENTS**

**PROJECT NAME:** BENEDICT POND, LLC – SATTERLY – McCASTER LOT LINE CHANGE  
(APPLICATION RELATED TO SITE PLAN APP. NO. 02-30)

**PROJECT LOCATION:** OFF RILEY ROAD  
SECTION 65 – BLOCK 1 – LOT 93 WITH  
SECTION 67 – BLOCK 3 – LOTS 5 & 6

**PROJECT NUMBER:** 04-35

**DATE:** 8 DECEMBER 2004

**DESCRIPTION:** THE APPLICATION PROPOSES ADJUSTMENTS BETWEEN THE  
PROPERTY OF THE BENEDICT POND MULTIFAMILY SITE PLAN  
AND TWO ADJOINING LOTS OWNED BY SATTERLY AND  
McCASTER.

1. The application conveys a triangular parcel approximately 2280 s.f. from Benedict Pond to McCaster, and a flag shaped parcel approximately 3632 s.f. from Benedict to Satterly. The plan appears to indicate that setbacks are being increased, and no new or increased non-conformities will result from the application. Therefore, I am aware of no zoning issues for this application.

The Board should note an existing encroachment of the Satterly building onto the lands of McCaster. It may be an appropriate time for the applicants to try to resolve this problem, if possible.

2. The plan need some clean-up to properly depict the difference between existing lot lines, existing lines to be removed, proposed lot lines and easement lines.
3. The Planning Board may wish to assume the position of Lead Agency under the SEQRA review process.
4. The Planning Board should determine if a Public Hearing will be necessary for this minor subdivision (in form of lot line change), or if same can be waived per Section 257-13 (A) of the Subdivision Regulations.

**REGIONAL OFFICES**

- 507 BROAD STREET • MILFORD, PENNSYLVANIA 18337 • 570-296-2765 •
- 540 BROADWAY • MONTICELLO, NEW YORK 12701 • 845-794-3399 •

5. The Planning Board may wish to make a determination regarding the type action this project should be classified under SEQRA, and make a determination regarding environmental significance.
6. Effective September 1, 2004, the Orange County Planning Department resumed review of all projects and actions that meet the requirements of New York State General Municipal Law (GML 239). Effectively, all projects within 500-foot distance requirements of the State statute (to municipal boundaries; county or state park; county or state highway; county drainage channel or right-of-way; county or state property with a building; or farm operation in an agricultural district) must again be referred to the OCPD for review.
7. The easements shown on the plan are intended as future easements to the benefit of the Town of New Windsor. As such, they should be reviewed by the Town Attorney prior to the completion of the site plan approval process for application 02-30.

Respectfully Submitted,



Mark J. Edsall, P.E., P.P.  
Planning Board Engineer



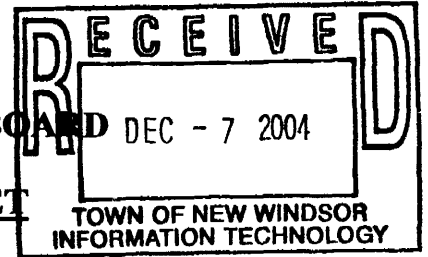


# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4693

OFFICE OF THE PLANNING BOARD

## PROJECT REVIEW SHEET



TO: **E 911 COORDINATOR**

P.B. FILE #04-35

DATE RECEIVED: 12-06-04 TAX MAP #65-1-93;67-3-5 & 6

PLEASE RETURN COMPLETED FORM TO MYRA

BY: A.S.A.P. TO BE ON AGENDA FOR THE 12-08-04 PLANNING BOARD MEETING.

THE MAPS AND/OR PLANS FOR:

### BENEDICT POND LOT LINE CHANGE

Applicant or Project Name

SITE PLAN \_\_\_\_\_, SUBDIVISION \_\_\_\_\_, LOT LINE CHANGE XXX,  
SPECIAL PERMIT \_\_\_\_\_

HAVE BEEN REVIEWED BY THE UNDERSIGNED AND ARE:

☒ **APPROVED:**

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ **DISAPPROVED:**

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: [Signature] 12/8/04  
Reviewed by \_\_\_\_\_ date

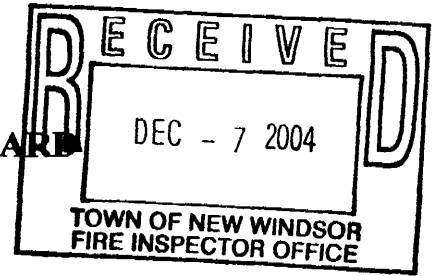


# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4693

OFFICE OF THE PLANNING BOARD

## PROJECT REVIEW SHEET



TO: **FIRE INSPECTOR**

P.B. FILE #04-35

DATE RECEIVED: 12-06-04 TAX MAP #65-1-93;67-3-5 & 6

PLEASE RETURN COMPLETED FORM TO MYRA

BY: A.S.A.P. TO BE ON AGENDA FOR THE 12-08-04 PLANNING BOARD MEETING.

THE MAPS AND/OR PLANS FOR:

### BENEDICT POND LOT LINE CHANGE

Applicant or Project Name

SITE PLAN \_\_\_\_\_, SUBDIVISION \_\_\_\_\_, LOT LINE CHANGE XXX,  
SPECIAL PERMIT \_\_\_\_\_

HAVE BEEN REVIEWED BY THE UNDERSIGNED AND ARE:

☒ **APPROVED:**

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ **DISAPPROVED:**

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: *McDonald* 12/8/04  
Reviewed by \_\_\_\_\_ date \_\_\_\_\_

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 12/06/2004

PAGE: 1

LISTING OF PLANNING BOARD **FEES**  
**ESCROW**

FOR PROJECT NUMBER: 4-35

NAME: BENEDICT POND LOT LINE CHANGE

APPLICANT: ALSO OWNERS: SATTERLY - MC CASTER

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
12/06/2004	REC. CK. #52168 <i>From Jacobowitz</i>	PAID		150.00	
		TOTAL:	0.00	150.00	-150.00

*12/6/04*

**Town of New Windsor**  
555 Union Avenue  
New Windsor, NY 12553  
(845) 563-4611

**RECEIPT**  
**#1211-2004**

12/07/2004

Jacobowitz & Gubits *P.B. #04-35*

Received \$ 75.00 for Planning Board Fees, on 12/07/2004. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green  
Town Clerk



**McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E. (NY & PA)

WILLIAM J. HAUSER, P.E. (NY & NJ)

MARK J. EDSALL, P.E. (NY, NJ & PA)

JAMES M. FARR, P.E. (NY & PA)

☐ Main Office  
33 Airport Center Drive  
Suite #202  
New Windsor, New York 12553  
(845) 567-3100  
e-mail: mheny@mhhepc.com

☐ Regional Office  
507 Broad Street  
Milford, Pennsylvania 18337  
(570) 296-2765  
e-mail: mhhepa@mhhepc.com

Writer's E-mail Address:  
mje@mhhepc.com

**PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE**

*new 100-3*

TOWN/VILLAGE OF: New Windsor P/B APP. NO.: \_\_\_\_\_

WORK SESSION DATE: Tues 30 Nov 04 PROJECT: NEW X OLD \_\_\_\_\_

REAPPEARANCE AT W/S REQUESTED: NO RESUB. REQ'D: Full App

PROJECT NAME: Benedict/McCarte/Satterly YL

REPRESENTATIVES PRESENT: Tony D/Brady/Kirwa-/DiNardo

MUNICIPAL REPS PRESENT: BLDG INSP. \_\_\_\_\_  
ENGINEER X FIRE INSP. \_\_\_\_\_  
P/B CHMN \_\_\_\_\_ PLANNER \_\_\_\_\_  
OTHER \_\_\_\_\_

**ITEMS DISCUSSED:**

need YL only plan -  
NO improvements  
- just pt 1

4/ Blaw up of affected  
area.

LS. only.

all 3 property owners  
sign off  
app + plan

**STND CHECKLIST:**

DRAINAGE \_\_\_\_\_

DUMPSTER \_\_\_\_\_

SCREENING \_\_\_\_\_

LIGHTING \_\_\_\_\_

(Streetlights)

LANDSCAPING \_\_\_\_\_

BLACKTOP \_\_\_\_\_

ROADWAYS \_\_\_\_\_

APPROVAL BOX \_\_\_\_\_

**PROJECT STATUS:**

ZBA Referral: \_\_\_\_\_ Y X N

Ready For Meeting X Y \_\_\_\_\_ N

Recommended Mtg Date 12/8 ?

**PROJECT  
TYPE**

SITE PLAN

SPEC PERMIT

L L CHG.

SUBDIVISION

OTHER

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4695

## PLANNING BOARD APPLICATION

### TYPE OF APPLICATION (check appropriate item):

Subdivision \_\_\_\_\_ Lot Line Change ☒ Site Plan \_\_\_\_\_ Special Permit \_\_\_\_\_

Tax Map Designation: Sec. 65 Block 1 Lot 93  
67 3 5 and 6

### BUILDING DEPARTMENT PERMIT NUMBER PA

1. Name of Project Lot Line Change, Benedict Pond, LLC, Satterly & McCasle

2. Owner of Record Benedict Pond, LLC Phone 973-304-0606

Address: 410 Angelo D'Amato 535 High Mountain Rd North Haledon NJ 07508  
(Street Name & Number) (Post Office) (State) (Zip)

3. Name of Applicant OWNER, AS ABOVE Phone \_\_\_\_\_

Address: \_\_\_\_\_  
(Street Name & Number) (Post Office) (State) (Zip)

4. Person Preparing Plan ATZL, SCATASSA & ZIGLER PC Phone 845-634-4694

Address: 234 North Main St New City NY 10956  
(Street Name & Number) (Post Office) (State) (Zip)

5. Attorney Robert E. DiNardo Phone 845-778-2121

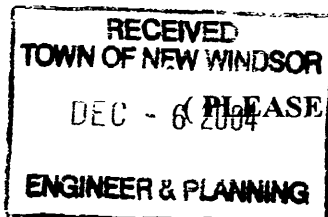
Address: 158 Orange Ave Walden NY 12586  
(Street Name & Number) (Post Office) (State) (Zip)

6. Person to be notified to appear at Planning Board meeting:

Robert E. DiNardo 778-2121 778-5173  
(Name) (Phone) (fax)

7. Project Location: On the WEST side of RILEY ROAD  
(Direction) (Street)

8. Project Data: Acreage Approx 4 Acres Zone R-5 School Dist. Cornwall



PAGE 1 OF 2

PLEASE DO NOT COPY 1 & 2 AS ONE PAGE TWO-SIDED)

04-35

9. Is this property within an Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District? Yes \_\_\_\_\_ No X

**\*This information can be verified in the Assessor's Office.**

**\*If you answer yes to question 9, please complete the attached Agricultural Data Statement.**

10. Detailed description of Project: (Use, Size, Number of Lots, etc.)

TRANSFER OF 2280 SQ FT FROM BENEDICT POND TO Rufus McCaster; TRANSFER OF 3632 SQ FT FROM BENEDICT POND TO Charles Satterly; Conveyance of WATER easement TO THE TOWN OF NEW WINDSOR

11. Has the Zoning Board of Appeals Granted any Variances for this property? yes \_\_\_\_\_ no X

12. Has a Special Permit previously been granted for this property? yes \_\_\_\_\_ no X

**IF THIS APPLICATION IS SIGNED BY ANYONE OTHER THAN THE PROPERTY OWNER, A SEPARATE NOTARIZED STATEMENT OR PROXY STATEMENT FROM THE OWNER MUST BE SUBMITTED, AT THE TIME OF APPLICATION, AUTHORIZING THIS APPLICATION.**

STATE OF NEW YORK)

SS.:

COUNTY OF ORANGE)

THE UNDERSIGNED APPLICANT, BEING DULY SWORN, DEPOSES AND STATES THAT THE INFORMATION, STATEMENTS AND REPRESENTATIONS CONTAINED IN THIS APPLICATION AND SUPPORTING DOCUMENTS AND DRAWINGS ARE TRUE AND ACCURATE TO THE BEST OF HIS/HER KNOWLEDGE AND/OR BELIEF. THE APPLICANT FURTHER ACKNOWLEDGES RESPONSIBILITY TO THE TOWN FOR ALL FEES AND COSTS ASSOCIATED WITH THE REVIEW OF THIS APPLICATION.

SWORN BEFORE ME THIS:

30th DAY OF November 2004

[Signature]  
ROBERT E. DINARDO  
Notary Public, State of New York  
Qualified in Orange County  
Commission Expires March 30, 2005

NOTARY PUBLIC

[Signature]  
(OWNER'S SIGNATURE)

(AGENT'S SIGNATURE)

Robert E. DinarDO  
Please Print Agent's Name as Signed

\*\*\*\*\*  
TOWN OF NEW WINDSOR  
RECEIVED  
DEC - 6 2004  
ENGINEER & PLANNING  
DATE APPLICATION RECEIVED  
04-35  
APPLICATION NUMBER

**AGENT/OWNER PROXY STATEMENT**  
**(for professional representation)**

for submittal to the:  
TOWN OF NEW WINDSOR PLANNING BOARD

Benedict Pond, LLC by Angelo J. DANEA, deposes and says that he resides  
(OWNER)  
at 535 High Mountain Rd, North Haledon NJ in the County of PASSAIC  
(OWNER'S ADDRESS)

and State of New Jersey and that he is the owner of property tax map  
designated by (Sec. 65 Block 1 Lot 93) To 67-3-5  
p/o (Sec. 65 Block 1 Lot 93) To 67-3-6  
which is the premises described in  
the foregoing application and that he designates:

Robert E. DiNardo, 158 Orange Ave, Walden NY 12586  
(Agent Name & Address)

SAME AS ABOVE

(Name & Address of Professional Representative of Owner and/or Agent)

as his agent to make the attached application.

**THIS DESIGNATION SHALL BE EFFECTIVE UNTIL WITHDRAWN BY THE OWNER OR  
UNTIL TWO (2) YEARS FROM THE DATE AGREED TO, WHICH EVER IS SOONER.**

SWORN BEFORE ME THIS:

\*\*  
Owner's Signature (MUST BE NOTARIZED)

30th DAY OF November 2004

for  
Agent's Signature (If Applicable)

for

ROBERT E. DINARDO  
Notary Public, State of New York  
Qualified in Orange County  
Commission Expires March 30, 2005

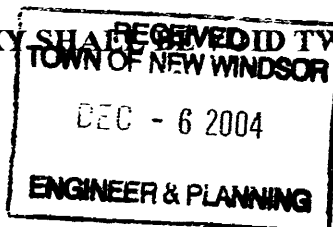
NOTARY PUBLIC

for

Professional Representative's Signature

**\*\* PLEASE NOTE: ONLY OWNER'S SIGNATURE MUST BE NOTARIZED.**

THIS PROXY STATEMENT SHALL BE VALID FOR TWO (2) YEARS AFTER AGREED TO BY THE OWNER




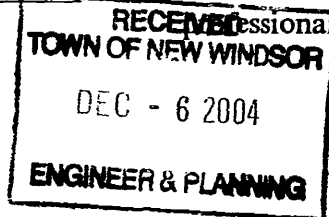
04-35



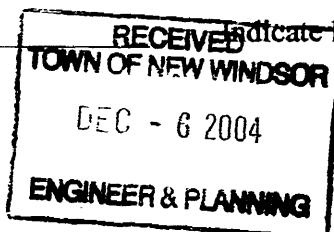
# TOWN OF NEW WINDSOR PLANNING BOARD SUBDIVISION/LOT LINE CHANGE CHECKLIST

The following checklist items shall be incorporated on the Subdivision Plan prior to consideration for being placed on the Planning Board Agenda:

1. ☒ Name and address of Applicant.
  - \* 2. ☒ Name and address of Owner.
  3. ☒ Subdivision name and location
  4. ☒ **Provide 4" wide X 2" high box (IN THE LOWEST RIGHT CORNER OF THE PLAN) for use by Planning Board in affixing Stamp of Approval. (ON ALL PAGES OF SUBDIVISION PLAN)**
- SAMPLE:** 
5. ☒ Tax Map Data (Section, Block & Lot).
  6. ☒ Location Map at a scale of 1" = 2,000 ft.
  7. N/A Additions To Lots ☒ Zoning table showing what is required in the particular zone and what applicant is proposing.
  8. ☒ Show zoning boundary if any portion of proposed subdivision is within or adjacent to a different zone.
  9. ☒ Date of plat preparation and/or date of any plat revisions.
  10. ☒ Scale the plat is drawn to and North arrow.
  11. ☒ Designation (in title) if submitted as sketch plan, preliminary plan or final plan.
  12. ☒ Surveyor's certificate.
  13. ☒ Surveyor's seal and signature.
  14. \_\_\_\_\_ Name of adjoining owners.
  15. N/A Wetlands and 100 foot buffer zone with an appropriate note regarding DEC requirements.
  - \* 16. N/A Flood land boundaries.
  17. N/A A note stating that the septic system for each lot is to be designed by a licensed professional before a building permit can be issued.



18. ✓ Fix metes and bounds.
19. ✓ Name and width of adjacent streets; the road boundary is to be a minimum of 25 ft. from the physical center line of the street.
20. ✓ Include existing or proposed easements.
21. ✓ Right-of-way widths.
22. MA Road profile and typical section (minimum traveled surface, excluding shoulders, is to be 16 ft. wide).
23. ✓ Lot area (in square feet for each lot less than 2 acres).
24. ✓ Number the lots including residual lot.
25. ✓ Show any existing waterways.
- \*26. MA A note stating a road (or any other type) maintenance agreement is to be filed in the Town Clerk's Office and County Clerk's Office.
27. ✓ Applicable note pertaining to owner's review and concurrence with plat together with owners signature.
28. ✓ Show any existing or proposed improvements, i.e., drainage systems, water lines, sewer lines, etc. (including location, size and depths).
29. ✓ Show all existing houses, accessory structures, existing wells and septic systems within 200 ft. of the parcel to be subdivided.
30. N/A Show all and proposed on-site A septic system and well locations; with percolation and deep test locations and information, including date of test and name of professional who performed test.
31. MA Provide A septic system design notes as required by the Town of New Windsor.
32.        Show existing grade by contour (2 ft. interval preferred) and indicate source of contour data.
33.        Indicate percentage and direction of grade.
34. MA Indicate any reference to previous, i.e., file map date, file map number and previous lot number.
35.        Indicate location of street or area lighting (if required).



REFERRING TO QUESTION 9 ON THE APPLICATION FORM, IS THIS PROPERTY WITHIN AN AGRICULTURAL DISTRICT CONTAINING A FARM OPERATION OR WITHIN 500 FEET OF A FARM OPERATION LOCATED IN AN AGRICULTURAL DISTRICT, PLEASE NOTE THE FOLLOWING:

36. \_\_\_\_\_ Referral to Orange County Planning Dept. is required for all applicants filing AD Statement.
37. \_\_\_\_\_ A disclosure Statement, in the form set below, must be inscribed on all subdivision maps prior to the affixing of a stamp of approval, whether or not the Planning Board specifically requires such a statement as a condition of approval.

Prior to the sale, lease, purchase, or exchange of property on this site which is wholly or partially within or immediately adjacent to or within 500 feet of a farm operation, the purchaser or leasor shall be notified of such farm operation with a copy of the following notification.

It is the policy of this State and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district or within 500 feet of such a district and that farming activities occur within the district. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors.

This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

**PREPARER'S ACKNOWLEDGMENT:**

THE PLAT FOR THE PROPOSED SUBDIVISION HAS BEEN PREPARED IN ACCORDANCE WITH THIS CHECKLIST AND THE TOWN OF NEW WINDSOR ORDINANCES, TO THE BEST OF MY KNOWLEDGE.

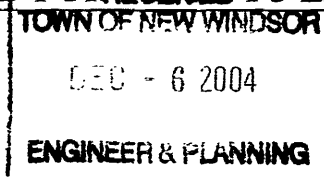
BY: \_\_\_\_\_  
Licensed Professional Date

⌘ ⌘ ⌘ ⌘ ⌘ ⌘

**PLEASE NOTE:**

⌘ ⌘ ⌘ ⌘ ⌘ ⌘

**THE APPLICANT OR THEIR REPRESENTATIVE IS RESPONSIBLE TO KEEP TRACK OF ALL EXPIRATION DATES FOR ANY AND ALL APPROVALS GRANTED TO A PROJECT. EXTENSIONS MUST BE APPLIED FOR PRIOR TO EXPIRATION DATE.**



04-35

PROJECT I.D. NUMBER

617.21

SEQR

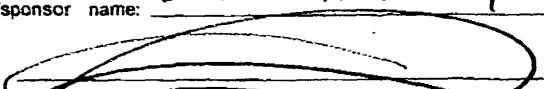
Appendix C

State Environmental Quality Review

## SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

## PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR <b>BENEDICT POND, LLC</b>	2. PROJECT NAME <b>LOT LINE CHANGE BENEDICT POND LLC, SATTERLY + MCCLISTER</b>
3. PROJECT LOCATION: Municipality <b>NEW WINDSOR</b> County <b>ORANGE</b>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <b>WEST SIDE OF RILEY ROAD</b>	
5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <b>LOT LINE CHANGES AND EASEMENT TO TOWN WATER DISTRICT</b>	
7. AMOUNT OF LAND AFFECTED: Initially <b>APPROX 4</b> acres Ultimately <b>APPROX 4</b> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe: <b>EXISTING SINGLE FAMILY</b>	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY? (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency(s) and permit/approvals	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: <b>BENEDICT POND LLC, By Angelo J. Danza</b>	Date: <b>11/30/04</b>
Signature: 	

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If you are in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

1

04-38

**PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)**

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF.	
<input type="checkbox"/> Yes	<input type="checkbox"/> No
B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.	
<input type="checkbox"/> Yes	<input type="checkbox"/> No
C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)	
C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:	
C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:	
C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:	
C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:	
C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:	
C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:	
C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:	
D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?	
<input type="checkbox"/> Yes	<input type="checkbox"/> No If Yes, explain briefly

**PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)**

**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

- ☐ Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
- ☐ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide on attachments as necessary, the reasons supporting this determination:

\_\_\_\_\_  
Name of Lead Agency

\_\_\_\_\_  
Print or Type Name of Responsible Officer in Lead Agency

\_\_\_\_\_  
Title of Responsible Officer

\_\_\_\_\_  
Signature of Responsible Officer in Lead Agency

\_\_\_\_\_  
Signature of Preparer (If different from responsible officer)

\_\_\_\_\_  
Date

ATTACHMENTS

2

- A. Flood Hazard Area Development Permit Application Form.
- B. Certificate of Compliance

PLEASE NOTE: IF PROPERTY IS NOT IN A FLOOD ZONE, PLEASE INDICATE THAT ON THIS FORM AND SIGN YOUR NAME. RETURN FORM WITH PLANNING BOARD APPLICATION.

IF PROPERTY IS LOCATED IN A FLOOD ZONE, PLEASE COMPLETE THE ATTACHED (LEGAL SIZE) PAPERS AND RETURN WITH PLANNING BOARD APPLICATION.



04-35

Not in Flood Zone

FOR OFFICIAL USE ONLY

Permit No. \_\_\_\_\_

Fee Received \_\_\_\_\_

Date \_\_\_\_\_

\_\_\_\_\_ of \_\_\_\_\_

County, New York

Permit Application for Development  
in  
Flood Hazard Areas

A. General instructions page 4 (Applicant to read and sign)

B. For assistance in completing or submittal of this application contact:

\_\_\_\_\_, Floodplain Administrator,  
(Name)

\_\_\_\_\_  
(Address)

\_\_\_\_\_, NY ( ) \_\_\_\_\_ - \_\_\_\_\_

1. Name and Address of Applicant

\_\_\_\_\_  
(First Name) (MI) (Last Name)

Street Address: \_\_\_\_\_

Post Office: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone: ( ) \_\_\_\_\_ - \_\_\_\_\_

2. Name and Address of Owner (If Different)

\_\_\_\_\_  
(First Name) (MI) (Last Name)

Street Address: \_\_\_\_\_

Post Office: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone: ( ) \_\_\_\_\_ - \_\_\_\_\_

3. Engineer, Architect, Land Surveyor (If Applicable)

\_\_\_\_\_  
(First Name) (MI) (Last Name)

Street Address: \_\_\_\_\_

Post Office: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

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